

EXHIBIT U

Exh. 156
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	No. CR 05-60008-01
)	
Plaintiff,)	GOVERNMENT'S MEMORANDUM
)	IN SUPPORT OF PRETRIAL
v.)	DETENTION
)	
PEROUZ SEDAGHATY,)	
a/k/a Pete Seda and Abu Yunus,)	
)	
Defendant.)	

The United States of America, through its undersigned counsel, herein submits this memorandum in advance of defendant Sedaghaty's detention hearing, scheduled for Wednesday, August 22, 2007.

Despite defendant's voluntary return to the United States, the government believes that no set of conditions can be imposed upon defendant Sedaghaty that will reasonably assure the safety of the community and his appearance at trial. Support for this position is drawn from this memorandum, exhibits submitted with this memorandum, and from testimony anticipated at the detention hearing.

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PUBLIC-AR0615

Your brothers, the Mujahideens (Ussamah Bin Laden Brigade).

Visit our site at www.laden.s5.com/ladenindex.htm

Although it is unknown who authored this message, it was dated October 10, 2001, which is three days after the United States began bombing Afghanistan after the terrorist attacks of 9-11. Testimony at the detention hearing will provide more context to this troubling e-mail.

The images and writings reviewed above, when considered in conjunction with the actions of defendant Sedaghaty, show that he not only ideologically agrees with the efforts of the *mujahideen*, but has supported them with funding and other types of logistical support from within the United States. Witting facilitation of radical Islamist fighters, and the distribution of hateful, violent literature to prisoners exhorting violence, makes defendant Sedaghaty a danger to the community.

Flight Risk

Defendant Sedaghaty departed the United States shortly after he was interviewed by the FBI in February 2003 and, so far as the government is aware, he did not return to the United States until four and a half years later, on August 15, 2007. While away from the United States, he retained a criminal defense attorney in Oregon to represent him during the criminal investigation. This attorney met with criminal investigators and the prosecutor both prior to and after defendant Sedaghaty was indicted.

Events significant to the timeline of defendant's absence from this country include:

February 2003 - Sedaghaty interviewed by the FBI and departs shortly

- thereafter
- February 2004 - Law enforcement execute search warrant at AHIF-US building in Ashland, Oregon
 - February 2004 - OFAC issued a preliminary designation of AHIF-US as an SDGT (public notice provided)
 - June 2004 - The Kingdom of Saudi Arabia dissolved AHIF-SA.
 - September 2004 - OFAC and the UN issue a formal designation of AHIF-US and defendant Al-Buthe as terrorist supporters
 - February 2005 - AHIF-US and defendants Sedaghaty and Al-Buthe indicted by a federal grand jury in Eugene, Oregon. This Court issues arrest warrants.
 - August 15, 2007 - Defendant Sedaghaty is arrested at the Portland, Oregon International Airport after voluntarily returning to the United States.

Defendant Sedaghaty's criminal defense attorney met with defendant Sedaghaty outside the United States while he was a fugitive.⁸ Defendant Sedaghaty has known that he was indicted and the subject of an arrest warrant for at least two and a half years.⁹

⁸To be clear, Sedaghaty was not a fugitive when he left the United States in 2003; he became a fugitive by operation of law when he was indicted in 2005, and the arrest warrant was issued, which defendant Sedaghaty had knowledge of while abroad.

⁹Exhibit P is an Associated Press article appearing on February 20, 2005, and states in part: "Lynne Bernabei, the Washington, D.C. lawyer representing Seda, Al-Buthe and Al-Haramain's Ashland chapter in the terrorist designation case, told the (Medford) Mail-Tribune that Seda is familiar with the charges against him and will return